

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT)	PDC CASE NO: 03-068
ACTION AGAINST)	
)	
The Democratic Party of Oregon,)	
)	
Respondent.)	STIPULATION OF FACTS
_____)	AND VIOLATION

The Democratic Party of Oregon (Respondent) and the Public Disclosure Commission Staff (Staff) jointly submit this Stipulation of Facts and Violation for Commission consideration in lieu of a full enforcement hearing before the Commission. The parties agree that, pursuant to RCW 42.17.360, the Commission has the authority to accept, decline, or to suggest modifications to this Stipulation. In the interest of avoiding further proceedings, the parties enter this Stipulation. In the event the Commission, in the exercise of its discretion, declines to accept the Stipulation in its entirety, the Stipulation is withdrawn.

Facts

Both parties agree to the following facts:

1. The Respondent is a political committee headquartered in and operated out of Portland, Oregon.
2. On November 28, 2000, the Respondent made a contribution in the amount of \$20,000 to the Washington State Democratic Central Committee (WSDCC). The

contribution was made after the 2000 general election, for the purpose of assisting the WSDCC to pay off debts incurred during the election.

3. The Respondent failed to file the form C-5 with the Public Disclosure Commission (PDC) within 10 days of the WSDCC receiving the contribution, as required by RCW 42.17.090(1)(l).
4. The WSDCC reported the contribution to PDC on January 8, 2002.
5. The Respondent filed the C-5 form with PDC on September 9, 2002.
6. Pursuant to RCW 42.17.090(1)(l), because the Respondent failed to file the C-5 report by December 8, 2000, the WSDCC was required to forfeit the contribution to the State of Washington. By letter dated August 19, 2002, the WSDCC stated its intent not to forfeit the contribution.
7. The \$20,000 contribution was the first contribution the Respondent had given to any political committee or candidate in Washington State.
8. The Respondent was unaware of the C-5 reporting requirement and the WSDCC failed to notify the Respondent of its obligation.
9. The Respondent fully disclosed the contribution on its reports filed with the Oregon Secretary of State's Elections Division. However, that report was not required to be filed until September 14, 2001, ten months after the transaction occurred.

Violation

Respondent and Staff agree that based upon the facts stipulated above, the Respondent committed a single violation of RCW 42.17.090(1)(l) by failing to timely file PDC form C-5.

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Penalty

The Respondent and Staff are unable to jointly recommend an appropriate penalty for Commission consideration, although both parties agree and stipulate that the penalty falls within the scope of the Commission's statutory authority for a single violation pursuant to RCW 42.17.395(4). Each party intends to present a brief oral argument before the Commission at the meeting scheduled for October 29, 2002.

The Respondent agrees to fully comply in good faith with all provisions of Chapter 42.17 RCW in the future and will consult with Commission Staff as appropriate for questions it may have on the interpretation and application of the Washington public disclosure laws.

Respectfully submitted this 29th day of October, 2002.

/s/

Vicki Rippie, Executive Director

Date

/s/

Joseph E Sandler
Counsel, Democratic Party of Oregon

Date

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